



10-24-06

ITW

Attorney Docket No. 061300-0941

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Khouri, Anthony J.  
Title: MIXING DRUM  
Application No.: 10/568,305 ✓  
International Filing Date: 08/15/2003  
371(c) Date: Not yet assigned  
Examiner: Not yet assigned  
Art Unit: Not yet assigned  
Confirmation No.: Not yet assigned

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 904369816 US (Express Mail Label Number)	October 23, 2006 (Date of Deposit)
Deborah A. Kocorowski (Printed Name)	
 (Signature)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Transmitted herewith please find the following documents for the above-identified patent application.

Enclosed are:

- [ X ] Information Disclosure Statement Under 37 C.F.R. § 1.56 (4 pages).
- [ X ] Form PTO/SB/08 (2 pages) listing 60 references, enclosing copies of 19.

Although the Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 06-1447.

Respectfully submitted,

Date 10/23/2006

FOLEY & LARDNER LLP  
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By

John M. Lazarus  
Attorney for the Applicant  
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**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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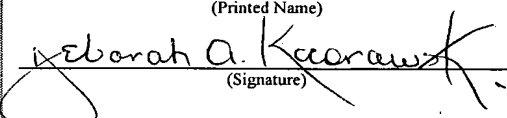
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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56**

Submitted herewith on Form PTO/SB/08 is a listing of documents known to the Applicant in order to comply with the Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). The Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

#### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(b), before the mailing date of the first Office Action on the merits.

#### **RELEVANCE OF EACH DOCUMENT**

Certain documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding PCT International Application. A copy of the PCT International Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language documents has been provided where readily available. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

The Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. § 609.

The following non-English language references are listed on the accompanying form PTO/SB/08:

The abstract of Russian Document RU 2 052 350 C1 discloses: FIELD: manufacture of building materials. SUBSTANCE: mixer truck has a mixing drum with a bottom and with spiral blades mounted for rotating on a transport facility and a drive of reversible rotation. Mixing members are mounted inside the spiral blades. They are uniformly arranged along the circumference, are fixed to the drum bottom by one end and their cross-section has a bioconcave shape. The exterior surface of the spiral. EFFECT: enhanced quality.

The abstract of German Document DE 40 10 539 A1 discloses: Spiral is made up from sections of steel plate and is welded to the inside wall of drum. Exposed edges of spiral have protective strip which is made of wear-resistant material. Cross-section of strip consists of top and sides and is at least partly 'U'-shaped. Pref. strip is fixed to spiral (14) using rivet (28). Countersunk holes (30) protect rivet heads. ADVANTAGE – Protective strip increases life of mixing drum. With prior art, replacement of strip is expensive.

The abstract of Japanese Document JP 53-88261 discloses: PURPOSE: To provide the front wall structure of a mixer drum in a concrete mixer car, wherein the strength of the front wall of a mixer drum, which particularly necessitates rigidity, is conspicuously enhanced, the weight of the full mixer drum is reduced, and adherence of raw concrete to the inner surface of the front wall is reduced as less as possible.

Although the Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 06-1447.

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